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June 3, 1971

Chief of Police Edward Davis
Los Angeles Police Department
150 North Los Angeles Street
Los Angeles, California 90012

Dear Sir:

I have been informed that you have appointed certain police personnel to undertake an examination of the Sirhan case, with a view to explaining manifest contradictions in the testimony and laboratory tests of Los Angeles Police Department forensic ballistics expert, DeWayne A. Wolfer.

The evidence is clear, both from the letter to you by Mrs. Blehr and the trial record, that Wolfer testified that the three test bullets fired by him and contained in People's Exhibit 55 matched the bullets recovered from the sixth cervical vertebra of Senator Kennedy, and the bodies of Mr. Goldstein and Mr. Weisel, and that none of those bullets were fired from Sirhan's gun. In view of the extensive fragmentation of the bullet in Senator Kennedy's head, the obvious question which lingers is who killed Senator Kennedy? As his counsel we are quite concerned that any probe be conducted in a spirit of complete impartiality. The suggestion that the second gun was utilized by Wolfer to test the noise level is belied by not only Exhibit 55 but the testimony of Wolfer itself. Moreover, although it appears that the gun which fired the three aforementioned bullets into Senator Kennedy, Mr. Weisel and Mr. Goldstein was destroyed in July, 1968, a month after the shooting, Wolfer claimed in the spring of 1969, during his trial testimony, that the gun was "still available". [Reporter's Transcript 4224]

Inasmuch as a man's life is at stake and we are attorneys of record for that man now condemned to death row, it seems mysterious that neither of us has been contacted so that any further "investigation" can truly be bipartisan. Any probe of a police officer's ballistics examination and courtroom testimony conducted only by a group of his superiors in the police department, headed off by your express disclaimer, can only be regarded by unfettered minds as a "whitewash".

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There is much about the cause of death of Senator Kennedy which has yet to be unravelled. Simultaneous with the prosecution of the appeal, we have arranged for Mr. William Harper, a competent and experienced criminalist, to delve into some of the enigmas either unsolved or pointing to the conclusion that Sirhan Sirhan did not fire the fatal bullet. If truth be our quest, then let us join hands in an endeavor to ascertain it.

We are ready and willing to participate in an evenhanded, impartial inquiry with justice as the only objective. If there is nothing to hide, then a simple letter or phone call will summon our participation and our support.

Sincerely yours,

GEORGE E. SHIBLEY,
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